

Docket No. 285380US0PCT



MAIL STOP PCT
IAP6 Rec'd PCT/PTO 28 NOV 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Pascale GAILLARD, et al.

SERIAL NUMBER: 10/571,291

FILING DATE: March 9, 2006

FOR: BENZOTHAIAZOLE DERIVATIVES FOR THE TREATMENT OF DIABETES

RESPONSE TO NOTICE OF MISSING REQUIREMENTS UNDER 35 USC 371

COMMISSIONER FOR PATENTS
BOX PCT
ALEXANDRIA, VIRGINIA 22313

SIR:

Responsive to the notification dated October 27, 2006, and in accordance with the provisions of 35 USC 371, Applicants submit herewith a Rule 63 Declaration. The required fee(s) was paid at the time of filing the application. The Rule 63 Declaration being filed herewith is accompanied by an English translation. The translation is accurate (37 CFR 1.69.)

In light of the foregoing, this application is deemed to be in proper condition for examination and such favorable action is earnestly solicited.

Our payment in the amount of \$.00 is paid herewith by credit card. If any difference exists between the amount due and the amount being paid herewith, please charge or credit the difference to our Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136 and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time may be charged to Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

A handwritten signature in cursive script, appearing to read "Norman F. Oblon".

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NOV 28 2006

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.

10/571,291

FIRST NAMED APPLICANT

Pascale Gaillard

ATTY, DOCKET NO.

285380US0PCT

INTERNATIONAL APPLICATION NO.

PCT/EP04/52090

I.A. FILING DATE

09/08/2004

PRIORITY DATE

09/12/2003

22850

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CONFIRMATION NO. 6383

371 FORMALITIES LETTER



OC000000021006083

Date Mailed: 10/27/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 03/09/2006
- Copy of the International Search Report filed on 03/09/2006
- Copy of IPE Report filed on 03/09/2006
- Preliminary Amendments filed on 03/09/2006
- Information Disclosure Statements filed on 03/09/2006
- Oath or Declaration filed on 03/09/2006
- U.S. Basic National Fees filed on 03/09/2006
- Priority Documents filed on 03/09/2006

RECEIVED: 10/31/06
 OBLON, SPIVAK, MCCLELLAND
 MAIER & NEUSTADT, P.C.
 DOCKETING DEPT
 Initials/Date Docketed: 10/31/06
 Type of Resp(s): DECL/Fee
 Due Date(s): 12/27/06

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

COPY

- \$130 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

CHARITTA A BURT

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PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/571,291	PCT/EP04/52090	285380US0PCT

FORM PCT/DO/EO/905 (371 Formalities Notice)